

**United States District Court
Northern District of New York**

Michael Stiefvater,)	Case 1:20-cv-00838-LEK-DJS
<i>Plaintiff,</i>)	
)	Lawrence K. Kahn
vs.)	United States District Judge
)	
Andrew Saul)	Stipulation – Document Filed Electronically
Commissioner of the Social)	
Security Administration)	
<i>Defendant.</i>)	

Parties' Stipulation for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). Upon remand, the Agency will vacate the November 15, 2019 hearing decision and reinstate Plaintiff's eligibility for benefits in accordance with the December 4, 2018 initial determination. The Appeals Council will direct the Administrative Law Judge to properly notify the Plaintiff if she intends to reconsider the prior favorable initial determination dated December 4, 2018, in accordance with HALLEX I-2-2-10(B), specifically, whether she plans to reconsider the onset date of disability beginning September 1, 2018; obtain medical expert evidence and reconsider the nature, severity, and limiting effects of the Plaintiff's impairments; and if the case proceeds to steps four and/or five of the sequential evaluation process, obtain vocational expert evidence and allow the Plaintiff to cross examine the expert.

The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

Andrew Saul,

By His Attorneys,

Antoinette T. Bacon,
Acting United States Attorney

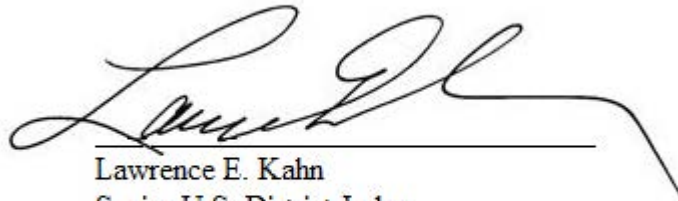
/s/ Amelia Stewart
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Michael Stiefvater,

By His Attorney,

/s/ Lewis B. Insler¹
Lewis B. Insler
Attorney for Plaintiff
403 Shelwood Circle
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IT IS SO ORDERED:



Lawrence E. Kahn
Senior U.S. District Judge

Dated: April 05, 2021

¹ Signed by Amelia Stewart with Lewis Insler's permission, received by email on March 31, 2021.